

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

Deborah S. Hunt
Clerk

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POTTER STEWART U.S. COURTHOUSE
CINCINNATI, OHIO 45202-3988

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www.ca6.uscourts.gov

Filed: October 17, 2023

Ms. Emily Noel Glatfelter
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121 W. High Street
Oxford, OH 45056

Re: Case No. 23-3840, *USA v. Alexander Sittenfeld*
Originating Case No. 1:20-cr-00142-1

Dear Counsel,

This appeal has been docketed as case number **23-3840** with the caption that is enclosed on a separate page.

Even if the defendant filed the notice of appeal, Sixth Circuit Rule 12(c)(1) requires that counsel continue representation on appeal until specifically relieved by this Court. If a convicted defendant did not qualify to proceed in forma pauperis in the district court but appears to qualify on appeal, Sixth Circuit Rule 24 requires that "trial counsel must see that the defendant completes CJA Form 23 (for an incarcerated defendant) or Fed. R. App. P. Form 4 (for a defendant not incarcerated) and files it in the district court." Counsel's failure to act in this situation may result in adverse action from this court.

You have until October 31, 2023 to either pay the \$505.00 appellate filing fee or file a motion for leave to proceed on appeal in forma pauperis and an accompanying financial affidavit. Either one must be paid/filed with the U.S. District Court. Failure to do one or the other may result in the dismissal of the appeal without further notice. If you move for pauper status and the district court denies your motion in part or in full, or if you are otherwise dissatisfied with the district court's ruling, you may renew the motion for pauper status in this court within 30 days of that ruling.

Before preparing any documents to be filed, counsel are strongly encouraged to read the Sixth Circuit Rules at www.ca6.uscourts.gov. If you have not established a PACER account and registered with this court as an ECF filer, you should do so immediately. Your password for district court filings will not work in the appellate ECF system.

At this stage of the appeal, the following forms should be downloaded from the website and filed with the Clerk's office by **October 31, 2023**. Additionally, the transcript order must be completed by that date. For further information and instructions on ordering transcript electronically, please visit the court's website.

Appellant: Appearance of Counsel
Application for Admission to 6th Circuit Bar (if applicable)

Appellee: Appearance of Counsel
Application for Admission to 6th Circuit Bar (if applicable)

More specific instructions are printed on each form. If the filing fee for the appeal is due because the appellant is not indigent, it must be paid to the District Court by **October 31, 2023**. These deadlines are important -- if the initial forms are not timely filed or the filing fee is due but not paid, the appeal will be dismissed for want of prosecution.

If you have questions after reviewing the forms and the rules, please contact the Clerk's office for assistance.

Sincerely yours,

s/Virginia Lee Padgett
Case Manager
Direct Dial No. 513-564-7032

cc: Mr. Gus John Lazares
Ms. Megan Gaffney Painter
Mr. Charles Matthew Rittgers
Mr. Matthew Singer

Enclosure

OFFICIAL COURT OF APPEALS CAPTION FOR 23-3840

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

ALEXANDER SITTENFELD, aka P.G. Sittenfeld

Defendant - Appellant